IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 32172 of 2006(E)

PETITIONER:

MOHAMMED ABDUL SATAR SAIT,
S/O.LATE HAJI HASSAN YAKOOB SAIT,
AGED 61 YEARS, MANAGER,
HAJI HASSAN YACOOB SAIT MEMORIAL UPPER PRIMARY
SCHOOL, KUTEETHERUVU, KAYAMKULAM, ALAPPUZHA.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

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1. THE STATE OF KERALA,
REP. BY THE SECRETARY TO GOVERNMENT,
GENERL EDUCATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
ALAPPUZHA.

3. THE ASSISTANT EDUCATIONAL OFFICER,
KAYAMKULAM, ALAPPUZHA DISTRICT.

4. SMT.DEEPAKUMARI,
LOWER PRIMARY SCHOOL ASSISTANT,
HAJI HASSAN YACOOB SAIT MEMORIAL UPPER PRIMARY
SCHOOL, KUTEETHERUVU, KAYAMKULAM, ALAPPUZHA.

5. THE DISTRICT EDUCATIONAL OFFICER,
MAVELIKKARA.

BY GOVT. PLEADER SMT. SHAKKEELA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.32172 OF 2006

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Dated this the 5th day of December, 2006

JUDGMENT

Petitioner seeks to challenge Ext.P5. By Ext.P5 the Deputy Director has appointed the DEO as the Enquiry Officer. It is stated that it is without notice to the Manager. Petitioner has preferred Ext.P6 before the first respondent. It is also the contention of the petitioner that the Deputy Director has no authority to authorise a different officer.

2. Heard learned Government Pleader also.

The writ petition is disposed of directing the first respondent to consider and take a decision on Ext.P6 in accordance with law with notice to the petitioner, fourth respondent and any other affected party within a period of six weeks from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.